



MONTANA STATE PRISON POLICIES AND PROCEDURES

Policy No.: MSP 4.2.202	Subject: INMATE SEPARATION NEEDS
Chapter 4: INSTITUTIONAL SERVICES	Page 1 of 5 plus 3 attachments
Section 2: Classification	Revision Date: November 7, 2005
Signature: /s/ Mike Mahoney	Effective Date: November 8, 1999

I. POLICY:

It is the policy of Montana State Prison to provide procedures for housing, monitoring, reviewing, and tracking inmates identified as needing separation from other inmates. Staff must review and research all inmate claims of threats to the inmate's personal safety in determining separation needs.

II. IMPLEMENTATION:

This revision will become operational on November 25, 2005.

III. AUTHORITY:

MSP 1.1.3 Organization and Responsibility

IV. DEFINITIONS:

Separation Needs - means that a determination has been made that an inmate requires separation from the general inmate population and/or other specified inmates.

V. PROCEDURES:

A. Separation Need Identification/Initial Action

Separation should be approved only when necessary for the safety and security of the institution, staff and/or inmates.

1. An inmate may notify any member of the staff of a perceived threat to his personal safety and the need to be separated from another inmate(s).
2. Upon receiving a claim of a threat to an inmate's safety, and a request to be separated, unit staff must conduct a private interview with the inmate to acquire all supporting information available.
3. Staff must document the claim and results of the investigation on an Incident Report form.
4. If the inmate provides specific information concerning the nature or source of the threat or risk of harm, the Unit Management Team (UMT) must then research/inquire into the claim(s) and incident(s) surrounding the concerns.
 - a) If the situation involves an inmate from another unit, staff must contact that UMT. Each UMT must then interview the inmate(s) named from their unit and jointly decide if separation is necessary.

Note: There may be instances where there is a legitimate need to separate certain inmates (i.e., a court order, one inmate informed on another inmate or testified against him, etc.) and interviewing the inmate(s) named may cause more problems than if the separation need was just noted and the information remained confidential. If the UMT's believe that there are legitimate separation needs and agree that interviewing all inmates involved will cause problems or magnify the

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- situation, interviews should not be conducted. The UMT should complete the *Separation Needs form (see attached sample #1 - these forms are blue in color for easy identification in file folders)* and process them with a classification report. In the event that interviews of inmates are not conducted, documentation must be included on the Separation Needs form supporting the decision not to conduct interviews.
- b) If the initial conclusion is that separation is necessary, each team must complete a Separation Needs form and a Classification Assessment for the involved inmates from their unit. They shall document in detail the reason for the separation. These forms shall be forwarded to the Classification Specialist for processing and will serve as documentation of the formal conclusion that there is support for the requested separation. The Classification Specialist will present the information to the Administrative Review Committee.
 - c) If the UMT's disagree about the necessity for separation, the Unit Managers must discuss the case further.
 - (1) If the Unit managers agree on a course of action the forms shall be forwarded to the Classification Specialist for processing and will serve as documentation of the formal conclusion that there is support for the requested separation. The Classification Specialist will present the information to the Administrative Review Committee.
 - (2) If the Unit Managers are unable to agree on the necessity for separation, they shall forward all information/documentation to the Classification Specialist, who will present the information to the Administrative Review Committee for a final decision. The Classification/Placement Unit Supervisor (or designee) and representatives from the respective UMT's must be part of this committee.
5. If the inmate who claims he is at risk is unwilling to provide specific information concerning the nature or source of the threat, or risk of harm, during the private interview, and refuses to remain in the unit, he shall be placed in Pre-Hearing Confinement / Classification Decision (PHC/CD). Procedures and time frames must be followed as outlined in *MSP 3.4.100, Pre-Hearing Confinement*. The staff member placing the inmate in PHC/CD must fill out Notification and Admission/Discharge Report forms (*see attached samples #2 & #3*).
- a) There may be legitimate reasons why an inmate would initially withhold the names of inmates he claims are threatening him, or other specific information. Within his first 72 hours in PHC/CD, unit staff must conduct a second private interview with the inmate in an attempt to get specific information about the threat.
 - b) If the inmate still refuses to supply specific information or the claims prove to be without merit based on all available information, unit staff must either return the inmate to his present housing status, or reclassify him to another unit. Staff must document their decision in writing on the bottom portion of the Notification form or an incident report. If the inmate refuses to move to the housing unit designated by staff, disciplinary action may be initiated.
6. If the inmate has made prior false statements concerning alleged threats, and staff have reason to believe the current allegations are without merit, immediate removal of the inmate from his current cell/room assignment may not be required. Unit staff must

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document their decision, with the reasons for their actions, in an incident report and file the report in the inmate's main and mini file.

7. If an inmate needs to be separated from another inmate, it does not necessarily mean he is vulnerable or predatory. If information reveals that there is predatory or vulnerable behavior on the part of any inmate, that inmate's classification must be reassessed in accordance with *MSP 4.2.200, Special Management of Atypical Inmates*.
8. When unit staff are reviewing an inmate for a work assignment, they must determine if he has separation needs from another inmate on the work crew and ensure that he is not assigned to a work area that could jeopardize his safety or that of the inmate(s) he needs to be separated from.
9. When conducting the initial classification of an incoming inmate the MDIU Case Manager or designee must reference ACIS, the current Master Separation Needs List, and the inmate's "dead" records files to determine whether or not the inmate has valid separation needs from an inmate(s) who is currently at MSP or a contract or private facility.

B. Follow Up

When information is verified/confirmed that there is a need to separate an inmate from another inmate (or a group of inmates), staff must do one of the following:

1. Remove the inmate from his current cell/housing assignment (i.e., an internal housing move or PHC/CD) to determine a more appropriate living location within the unit.
2. Classify the inmate to another general population housing unit.
3. Classify the inmate "Special Management."
4. Keep the inmate in his assigned cell/room/unit with closer observation.
5. Recommend transferring the inmate to another facility if appropriate placement cannot be provided at MSP.

C. Reviewing and Documenting Separation Needs

1. Active separation need cases shall be reviewed by the UMT at the inmate's regularly scheduled classification review, or sooner if the need arises.
 - a) This review shall consist of:
 - (1) An interview with the inmate.
 - (2) Research of the original incident.
 - (3) Discussion with the UMT where the other inmate(s) who pose the threat are housed.
 - b) If the UMT determines that the separation needs are still valid, they shall document that by:
 - (1) Entering an "X" in the "Continued Separation Needs" section on the Classification Summary Sheet;
 - (2) Completing a new Separation Needs form outlining why they support continued separation between the inmates.
 - c) If the initial separation need was determined without interviewing all inmates involved, and the UMT decides that interviewing the inmates is unnecessary (or not in the interest of safety and security) they shall note that in their comments on the Separation Needs form. They shall also enter an "X" in the "Continued

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Separation Needs” section on the Classification Summary sheet if a separation need still exists.

D. Removing Separation Needs

1. If it is determined at an inmate’s classification review that his separation needs may no longer be valid, the UMT conducting the review shall contact the other involved UMT(s) to inform them that they are considering removal of the separation needs.
 - a) If they conclude that separation needs are no longer necessary each UMT must:
 - (1) Complete a Separation Needs form and a Classification Assessment for the involved inmate(s) from their unit, entering an “X” in the YES space in the “Removed Prior Separation Needs” section on the Classification Summary sheet, and documenting in detail the reason(s) for the removal of the separation needs on the Separation Needs form. These forms shall be forwarded to the Classification Specialist, and will serve as documentation of the formal conclusion that there is no longer support for the requested separation.
 - (2) Notify the inmates being reviewed that this is the case.
 - b) If the UMT’s disagree about the necessity for removal of the separation needs, the Unit Managers must discuss the case.
 - (1) If the Unit Managers agree on a course of action the forms shall be completed and forwarded to the Classification Specialist for processing. The forms will serve as documentation that there is no longer support for the requested separation.
 - (2) If the Unit Managers are unable to agree they shall forward all information/documentation to the Classification Specialist, who will present the information to the Administrative Review Committee for a final decision. The Classification/Placement Unit Supervisor (or designee) and representatives from the respective UMT’s must be part of this committee.
2. If during a classification review, a UMT discovers that the inmate being reviewed has a separation need from an inmate who has discharged or transferred to a community placement/program they will complete a Separation Needs form and a Classification Assessment. They will enter an “X” in the YES space in the “Removed Prior Separation Needs” section on the Classification Summary sheet, and document that the other inmate has discharged or transferred to a community placement/program on the Separation Needs form.

E. Master Separation Needs List

1. Classification/Placement Unit staff shall have over-site responsibility for a Master Separation Needs List. The Master Separation Needs List shall include:
 - a) Date of last review.
 - b) Alphabetical listing of all inmates with separation needs and their incompatibilities.
 - c) DOC identification number.
 - d) MSP housing unit.
 - e) Facility (if not at MSP).

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2. The list shall be updated at least monthly.
3. All updates shall be distributed to the following locations:
 - a) Command Post.
 - b) Unit Managers.
 - c) Contract Placement Bureau.
4. Outdated lists shall be shredded.

VI. CLOSING:

Questions concerning this policy will be directed to the Technical Correctional Services Bureau Chief.

CONFIDENTIAL

MSP Policy 4.2.202
Sample #1

SEPARATION NEEDS FORM

(Reference "Inmate Separation Needs" policy -MSP 4.2.202)

NAME: _____ AO#: _____ UNIT: _____
Last First

CUSTODY LEVEL: _____ DATE: _____

It is the policy of Montana State Prison to provide procedures for housing, monitoring, reviewing, and tracking inmates identified as needing separation from other inmates. Staff must research/inquire into all inmate claims of and threats to personal safety and a need for separation.

The above named inmate should be separated from or should be removed from the following inmate:

NAME: _____ AO#: _____ UNIT: _____
Last First

☐ Separation Needs
(MSP 4.2.2002 page 2 & 4)

☐ Removal of Separation
(MSP 4.2.202 page 6)

Comments and detailed explanation of the separation needs, including date of incident(s), or reason for removal of separation needs: _____

Verified and investigated by: _____

Additional information in Institutional Investigators Office: ☐ Yes ☐ No

This form must be completed for all inmates named.

NOTIFICATION

LAST NAME

FIRST

AO#

Within a 72-hour period, an interview will be held addressing your present custody level and job assignment. You will be present at this hearing and have an opportunity to present evidence on your own behalf.

REASON FOR NOTICE: _____

DATE: _____

TIME: _____

INMATE SIGNATURE

STAFF SIGNATURES

DATE: _____

TIME: _____

RESULTS: _____

STAFF SIGNATURES

White – Main Records

Yellow – Unit File

Pink - Inmate

ADMISSION / DISCHARGE REPORT

PLEASE PRINT FULL NAME:

LAST NAME FIRST NAME MIDDLE NAME ID DATE: TIME:

FROM UNIT AND JOB:

☐ MSP:
☐ Unit

Job

☐ MWP:
☐ Pod

☐ Regional Prison:
☐ Pod

☐ MASC☐ Hospital☐ Conditional Release☐ OLTC☐ MSH-WS

☐ Pre-Release
☐ Connections Corrections

☐ ISP☐ TSCTC-Trainee ☐ Diversion☐ WATCH DUI Program☐ Transfer☐ Escape ☐ Apprehended State:☐ Parole Violator☐ Probation Violator☐ New Inmate☐ 10-Day Furlough☐ Other**TO UNIT AND JOB:**

☐ MSP:
☐ Unit

Job

☐ MWP:
☐ Pod

☐ Regional Prison:
☐ Pod

☐ MASC☐ Hospital☐ Conditional Release☐ OLTC☐ MSH-WS

☐ Pre-Release ☐ Connections Corrections

☐ ISP☐ TSCTC-Trainee☐ WATCH DUI Program☐ Transfer☐ Escape ☐ Apprehended State:☐ Release☐ 10-Day Furlough☐ Other**CODE:**☐ DOC☐ MSP☐ MWP☐ RPC☐ CD**☐ DD**☐ HOLD**CUSTODY:**☐ MIN 2☐ MIN 1☐ MED 2☐ MED 1☐ CLOSE☐ MAX☐ AD SEG****Notify the Infirmary and Mental Health when PHC, DD or CD**

Health Services Clearance? ☐ Yes ☐ No (If No, attach *Special Needs Treatment Plan*)

COMMENTS:

STAFF MEMBER'S NAME / SIGNATURE: /

It is mandatory that all ADR's are turned into the Placement/Movement Office when a move is made. All ADR's are filled out by the **sending unit with the exception of a jail hold, which will be filled out by the receiving unit.** Information must be complete with housing unit and job assignment number and including title.

cc: RECORDS – WHITE

MINI FILE – CANARY